

# **ALTERNATIVES TO UNCONDITIONAL IMPRISONMENT**

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My diploma thesis deals with alternative punishments which may be imposed as an alternative to imprisonment. The thesis is divided into six chapters.

In the introduction of my thesis first I deal with general issues, I define the term and the purpose of punishment and I outline the concept of Restorative justice which presents the base of alternative approaches in the penal law.

The second chapter describes the system and various forms of alternative sentences and criminal procedure alternatives (procedural diversions), their historical development in the Czech Republic since 1989 and the activity of international organisations in this domain, especially United Nations and The Council of Europe. In this chapter I also present the institution and characterise the activity of the Probation and Mediation Service which has an important role during the imposition and execution of some alternative punishments.

The main attention in the thesis is concentrated on the chapters 3 to 6 which concern particular alternative forms of punishment in the valid and effective Czech legislation, their imposition and execution. Successively, I deal with conditional prison sentence, pecuniary punishment, community service and home arrest. Final subchapters of these chapters include a comparison of Czech and French legislation regarding alternative punishments and their practical application. In these parts I also express proposals de lege ferenda.